



Attorney Docket No.: 1238-US

### **DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below under my name.

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **SELECTION OF COLORS FOR COLOR BAR CODES**

the Specification of which



is attached hereto  
was filed on **August 7, 2003**  
as Application Serial No. **10/635,935**  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified Specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

### **PRIORITY CLAIM - NON-U.S. OR PCT PATENT APPLICATION(S)**

I hereby claim priority benefits under 35 U.S.C. 119(a)-(d) or 35 U.S.C. 365(b) of any foreign application(s) for patent or inventor's certificate listed below, or 35 U.S.C. 365(a) of any PCT international application listed below which designated at least one country other than the United States of America, and have also listed below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

APPLICATION NUMBER	COUNTRY/CONVENTION	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
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PRIORITY CLAIM - U.S. PROVISIONAL PATENT APPLICATION(S)

I hereby claim priority benefits under 35, U.S.C. §119 of any U.S. Provisional Patent Application listed below that has been filed in the United States in accordance with 35 U.S.C. §119(e), or any U.S. Patent Application listed below that has been converted to a U.S. Provisional Application within one (1) year of its filing date:

APPLICATION NUMBER	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
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PRIORITY CLAIM - U.S. PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §120 of any U.S. Patent Application listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior U.S. Patent Application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	DAY/MONTH/YEAR FILED	STATUS - PATENTED, PENDING, ABANDONED
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DESIGNATION OF ATTORNEY OR AGENT

I hereby appoint Daniel J. Swirsky (Agent, Registration No. 45,148) and Heidi M. Brun (Agent, Registration No. 34,504) and practitioners at Customer Number 24505 as my/our attorney(s) or agent(s) with full power of substitution and revocation to prosecute the above-identified application and transact all business connected therewith in the United States Patent and Trademark Office.

Please address all correspondence regarding this application to:

DANIEL J. SWIRSKY  
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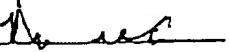
Please direct all telephone calls to (972) 2-999-1035, all facsimiles to (972) 2-999-7638, and all e-mail messages to dswirsky@alphapatent.com.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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SIGNATURE OF INVENTOR: 

DATE December 21, 2003

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SIGNATURE OF INVENTOR: 

DATE December 27, 2003